



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

OCT 20 2014

Ref: 8ENF-W-NP

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CT Corporation System, Registered Agent for
Crestwood Midstream Partners, LP
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136

CT Corporation System, Registered Agent for
Arrow Pipeline, LLC
Arrow Water, LLC
Arrow Midstream Holdings, LLC
314 E. Thayer Avenue
Bismarck, North Dakota 58501-4018

Re: **Request for Information** Pursuant to Section 308 of the Clean Water Act for Oil and/or Produced Water Discharges by Crestwood Subsidiaries Arrow Pipeline, LLC; Arrow Water, LLC; and Arrow Midstream Holdings, LLC, on the Fort Berthold Reservation

Dear Registered Agents:

The U.S. Environmental Protection Agency pursuant to its authority under section 308 of the Clean Water Act (Act), 33 U.S.C. § 1318, is investigating four separate unpermitted discharges of oil and/or produced water by subsidiaries of Crestwood Midstream Partners, LP, near Mandaree, North Dakota, on the Fort Berthold Reservation. Specifically, the EPA is investigating a crude oil spill by Arrow Midstream, LLC, reported to the National Response Center (NRC) on July 27, 2011, Incident No. 984252. Additionally, the EPA is investigating three produced water discharges. The first discharge of approximately 24,000 barrels from a pipeline owned and/or operated by Arrow Pipeline, LLC, was discovered on July 8, 2014, NRC Incident No. 1088376. The second discharge of approximately 3,000 barrels from a pipeline owned and/or operated by Arrow Water, LLC, occurred on August 22, 2014. The third discharge of approximately 80 barrels from a facility owned and/or operated by Arrow Water, LLC, occurred on October 12, 2014.

As part of its preliminary investigation to determine whether one or more spills constitute violations of sections 301 or 311(b)(3) of the Act, 33 U.S.C. §§ 1311 or 1321(b)(3), the EPA requests that Crestwood Midstream Partners, LP, and its subsidiaries Arrow Pipeline, LLC; Arrow Water, LLC; and Arrow Midstream Holdings, LLC, complete the enclosed Requests for Information for the respective

discharges. The Certification Statements accompanying the Requests for Information must be signed by a duly authorized official attesting to the accuracy and completeness of each response.

Please send the requested information within forty-five (45) days of receipt of this letter to:

Emilio Llamozas (8ENF-W-NP)
U.S. Environmental Protection Agency Region 8
1595 Wynkoop Street
Denver, Colorado 80201-1129

The Requests for Information are exempt from the approval requirements of the Paperwork Reduction Act of 1990, 44 U.S.C. § 3501, et seq. Although the information requested must be submitted to the EPA, you may be entitled to assert a confidentiality business claim pursuant to regulations set forth in C.F.R. part 2. If the EPA determines that the information you have designated meets the criteria in 40 C.F.R. § 2.208, the EPA will disclose the information only to the extent and by means of the procedures specified in 40 C.F.R. part 2, subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, the EPA may make the information available to the public without further notice to you.

Section 309 of the Act, 33 U.S.C. § 1319, provides for administrative and civil penalties up to \$37,500 per day of violation for failure to comply with a Request for Information. The submission of false, fictitious or fraudulent statements or representations may subject persons to criminal penalties under 18 U.S.C. § 1001.

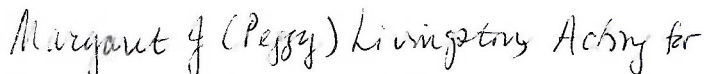
Mr. Llamozas is available to assist you with any questions regarding the Requests for Information. He may be reached at 303-312-6407. Electronic copies of the Requests for Information are available for your convenience. Contact Mr. Llamozas at the above number or email him at llamozas.emilio@epa.gov if you would like them sent to you. Thank you for your cooperation.

Sincerely,



Gwenette C. Campbell, Unit Chief
NPDES Enforcement Unit
Office of Enforcement, Compliance
and Environmental Justice

Sincerely,



James H. Eppers, Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

Enclosures: Request for Information and Statements of Certification



REQUEST FOR INFORMATION

This information is requested pursuant to section 308(a) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, 33 U.S.C. § 1318(a). This Information Request is not subject to the approval requirements of the Paperwork Reduction Act, 44 U.S.C. § 3501, et seq.

INSTRUCTIONS

- 1. Please provide a separate response to each request (and subpart of a request) set forth in this Request for Information. Please number your response so that each response shows the number of the request to which it corresponds.*
- 2. Please include a copy of each document relied upon or used to answer any of the requests. You must submit copies of all such documents available to you even if you believe they may have been submitted to EPA previously by you or anyone else. Each document must clearly indicate the number of each request to which it responds.*
- 3. If you cannot answer any request in full, please answer to the extent possible. If any response is qualified in any manner, please explain in detail the qualification and the reason for the qualification.*
- 4. If, after answering this request, you learn about or acquire relevant new information or documents, you must send EPA a supplement to your response. If you learn at any time that any portion of your answer is false or misrepresents the truth, you must notify EPA as soon as possible and provide a corrected response.*
- 5. If, in lieu of providing any document, you assert that it is privileged under the attorney-client privilege or any other privilege recognized by federal law, your answer must state the privilege you are asserting, explain the justification for the privilege and identify the document being withheld and its author.*

Arrow Pipeline, LLC, Produced Water Discharge
NRC Incident No. 1088376
Discovered July 8, 2014

INFORMATION REQUEST

1. Describe the pipeline from which the oil, pollutant, or contaminant was released, discharged or spilled.
 - a. Describe the pipeline's use.
 - b. State when it was constructed.
 - c. Describe the size, daily throughput and total capacity of the pipeline.
 - d. Describe the pipeline's construction.
 - e. State the pipeline's beginning and end point.
 - f. Describe the type of product(s) the pipeline carries.
 - g. Describe the routine and recent operation and maintenance performed on the pipeline.
 - h. Describe if the pipeline has supervisory control and data acquisition (SCADA) and which parameters are measured and controlled.
2. Provide the name and street address of the owner of the pipeline.
 - a. State the owner's type of business (*i.e.* corporation, partnership, LLC, etc).
 - b. What state is the business incorporated or organized?
 - c. Provide the name and address of all corporate officers if a corporation.
 - d. Describe the relationship of the owner to any parent company and affiliates.
 - e. State when the current owner began operating the pipeline.
 - f. If not the original owner, identify who the owner purchased the pipeline from and when.
3. Provide the name and street address of the operator(s) of the pipeline if different from the owner. Describe the relationship between the owner and operator (*i.e.* employee, subcontractor, lessee).
4. Describe whether the pipeline or business is owned or operated 51% or more by the Three Affiliated Tribes (this does not include ownership, management, or control by and individual tribal

member). Please provide any additional information, including a description of the Tribes' interest, control and responsibility. Other information may include tribal interest less than 51% and essential or unique services the pipeline or owner/operator provides the government of the Three Affiliated Tribes.

5. Describe in detail the cause of (*i.e.* equipment failure, operator error, inadequate procedures or maintenance) and events leading up to the discharge.
6. If the discharge was caused by a broken valve, provide the material specifications and standards that were used in the selection of the old valve. Provide the material specifications and standards that were used in the selection of the new valve. Provide all maintenance records for the old valve. Provide the maintenance and repair costs for the old valve. Also provide the costs associated with replacing valves.
7. Specify the exact location of the discharge, including the street address; town or city; latitude/longitude coordinates; and township, range, quarter-sections and fractions; county and state.
8. Provide photos of the incident and the discharge's flow path.
9. Describe the land status of all lands impacted by the discharge (*i.e.* tribal trust, tribally-owned fee, Indian allotment, non Indian allotment, non Indian fee, other).
10. Name who discovered the discharge.
11. Specify the time and date that the discharge occurred and how this was determined.
12. State the total number of days the discharge occurred.
13. Specify the amount and type of product in the pipeline at the time of discharge.
14. State the total volume discharged and how it was determined.
15. Specify the type of all substances released, including oil, salt, chemicals, additives and condensate. If the material discharged was a mixture, please provide the percentages of substances in the mixture (provide copies of the Material Safety Data Sheets, if available).
16. Were samples of the substance(s) discharged collected and analyzed? If so, please provide copies of the analyses, along with the sampling locations, the name of the individual who performed the sampling, the date and time(s) of the sampling event(s) and the name of the laboratory that conducted the analyses.
17. List any substances discharged that are listed or designated as hazardous substances in section 101 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601.
18. Describe the pathway(s) of the discharge's migration from the source, including direction, elevation and topographic description. Describe any natural or man-made containment that intercepted the flow path (include photos, videos, topographic and other maps of the discharge area).

19. State the local weather conditions at the time of the discharge, including temperature, precipitation cloud cover and wind direction and speed.
20. Describe whether and to what extent the discharge reached or threatened any waterway or its tributary including, but not limited to, rivers, streams, creeks, arroyos, ponds, lakes, reservoirs, wetlands, marshes or sewers.
- Describe the distance of the closest waterway impacted or threatened by the discharge to the source of the incident. Include the direction and elevation from the source.
 - List each waterway impacted or threatened and whether water was present at the time of discharge.
 - State the use(s) of the impacted or threatened waterway (*i.e.* drinking water, agriculture, ranching, recreation, commerce).
 - Specify the quantity and nature of the discharge that reached the waterway and how that was determined.
 - State the quantity of the discharge that did not reach water and how that was determined.
 - Describe and name the water to which the affected waterway is connected or flows into and classify (*i.e.* ephemeral, intermittent, perennial) each stream segment involved.
 - Identify whether and where any of the stream segments described in 19.f above had springs, pools or stockponds at the time of discharge.
 - Describe any film, sheen, discoloration, or iridescent appearance observed on the surface of any water or adjoining shoreline caused by the discharge. Provide the name and contact information for the person making the observation.
21. Describe any damage:
- to animal life - number and species of affected, injured or dead fish, birds, animals, insects, etc.
 - to vegetation - how many feet, acres, or miles of land were affected, type of vegetation, crops, timber, forest, prairie grasses, scrub, etc.
22. List and describe any sensitive environments, wildlife habitats or refuges, endangered species, water wells or drinking water intakes within twenty miles downgradient of the spill area. If yes, state the location and distance of each from the source of the incident or discharge.
23. When and how was the discharge controlled and cleaned up?
- Describe the steps, including the dates and times of each measure, to clean-up the discharge.

- b. Name who led and who participated in the clean-up effort (provide copies of clean-up plans, schedules and reports).
 - c. Describe the steps taken to mitigate any environmental damage.
 - d. Describe discharge repairs, including equipment repairs and/or replacement, and pipeline testing.
 - e. Provide the discharge repair and clean-up costs.
 - f. Describe any measures taken to prevent or mitigate future discharges.
24. List the federal, state, tribal, and/or local authorities notified of the discharge and when.
25. List and describe the role of all agencies, individuals and contractors involved in the discharge response and clean-up.
26. Describe any fines assessed for the discharge by any governmental entity. Provide the name of the agency, amount of the fines, and the date(s) assessed.
27. Please provide the names, phone numbers and addresses of any additional persons you believe to have knowledge of the facts surrounding the discharge.
28. Provide a copy of any National Pollutant Discharge Elimination System permit or other document authorizing the release of substances from the pipeline.
29. Describe in detail any previous spills, discharges or releases that have occurred from this pipeline on the Fort Berthold Reservation within the past five years (provide copies of tribal, state and federal notifications).

STATEMENT OF CERTIFICATION

**Arrow Pipeline, LLC, Produced Water Discharge
NRC Incident No. 1088376
Discovered July 8, 2014**

I certify under penalty of law that the foregoing responses and attachments to the EPA's Request for Information Pursuant to the Clean Water Act (Request) were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. The response and attachments contain all documents and information responsive to the Request that are known to me following a complete and thorough review of all information and sources available to me. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Date

Printed Name

Official Title

**Arrow Water, LLC, Produced Water Spill
Discovered August 22, 2014**

INFORMATION REQUEST

1. Describe the pipeline from which the oil, pollutant, or contaminant was released, discharged or spilled.
 - a. Describe the pipeline's use.
 - b. State when it was constructed.
 - c. Describe the size, daily throughput and total capacity of the pipeline.
 - d. Describe the pipeline's construction.
 - e. State the pipeline's beginning and end point.
 - f. Describe the type of product(s) the pipeline carries.
 - g. Describe the routine and recent operation and maintenance performed on the pipeline.
 - h. Describe if the pipeline has supervisory control and data acquisition (SCADA) and which parameters are measured and controlled.
2. Provide the name and street address of the owner of the pipeline.
 - a. State the owner's type of business (*i.e.* corporation, partnership, LLC, etc).
 - b. What state is the business incorporated or organized?
 - c. Provide the name and address of all corporate officers if a corporation.
 - d. Describe the relationship of the owner to any parent company and affiliates.
 - e. State when the current owner began operating the pipeline.
 - f. If not the original owner, identify who the owner purchased the pipeline from and when.
3. Provide the name and street address of the operator(s) of the pipeline if different from the owner. Describe the relationship between the owner and operator (*i.e.* employee, subcontractor, lessee).
4. Describe whether the pipeline or business is owned or operated 51% or more by the Three Affiliated Tribes (this does not include ownership, management, or control by and individual tribal member). Please provide any additional information, including a description of the Tribes' interest,

control and responsibility. Other information may include tribal interest less than 51% and essential or unique services the pipeline or owner/operator provides the government of the Three Affiliated Tribes.

5. Describe in detail the cause of (*i.e.* equipment failure, operator error, inadequate procedures or maintenance) and events leading up to the discharge.
6. Specify the exact location of the discharge, including the street address; town or city; latitude/longitude coordinates; and township, range, quarter-sections and fractions; county and state.
7. Provide photos of the incident and the discharge's flow path.
8. Describe the land status of all lands impacted by the discharge (*i.e.* tribal trust, tribally-owned fee, Indian allotment, non Indian allotment, non Indian fee, other).
9. Name who discovered the discharge.
10. Specify the time and date that the discharge occurred and how this was determined.
11. State the total number of days the discharge occurred.
12. Specify the amount and type of product in the pipeline at the time of discharge.
13. State the total volume discharged and how it was determined.
14. Specify the type of all substances released, including oil, salt, chemicals, additives and condensate. If the material discharged was a mixture, please provide the percentages of substances in the mixture (provide copies of the Material Safety Data Sheets, if available).
15. Were samples of the substance(s) discharged collected and analyzed? If so, please provide copies of the analyses, along with the sampling locations, the name of the individual who performed the sampling, the date and time(s) of the sampling event(s) and the name of the laboratory that conducted the analyses.
16. List any substances discharged that are listed or designated as hazardous substances in section 101 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601.
17. Describe the pathway(s) of the discharge's migration from the source, including direction, elevation and topographic description. Describe any natural or man-made containment that intercepted the flow path (include photos, videos, topographic and other maps of the discharge area).
18. State the local weather conditions at the time of the discharge, including temperature, precipitation cloud cover and wind direction and speed.
19. Describe whether and to what extent the discharge reached or threatened any waterway or its tributary including, but not limited to, rivers, streams, creeks, arroyos, ponds, lakes, reservoirs, wetlands, marshes or sewers.

- a. Describe the distance of the closest waterway impacted or threatened by the discharge to the source of the incident. Include the direction and elevation from the source.
 - b. List each waterway impacted or threatened and whether water was present at the time of discharge.
 - c. State the use(s) of the impacted or threatened waterway (*i.e.* drinking water, agriculture, ranching, recreation, commerce).
 - d. Specify the quantity and nature of the discharge that reached the waterway and how that was determined.
 - e. State the quantity of the discharge that did not reach water and how that was determined.
 - f. Describe and name the water to which the affected waterway is connected or flows into and classify (*i.e.* ephemeral, intermittent, perennial) each stream segment involved.
 - g. Identify whether and where any of the stream segments described in 19.f above had springs, pools or stockponds at the time of discharge.
 - h. Describe any film, sheen, discoloration, or iridescent appearance observed on the surface of any water or adjoining shoreline caused by the discharge. Provide the name and contact information for the person making the observation.
20. Describe any damage:
- a. to animal life - number and species of affected, injured or dead fish, birds, animals, insects, etc.
 - b. to vegetation - how many feet, acres, or miles of land were affected, type of vegetation, crops, timber, forest, prairie grasses, scrub, etc.
21. List and describe any sensitive environments, wildlife habitats or refuges, endangered species, water wells or drinking water intakes within twenty miles downgradient of the spill area. If yes, state the location and distance of each from the source of the incident or discharge.
22. When and how was the discharge controlled and cleaned up?
- a. Describe the steps, including the dates and times of each measure, to clean-up the discharge.
 - b. Name who led and who participated in the clean-up effort (provide copies of clean-up plans, schedules and reports).
 - c. Describe the steps taken to mitigate any environmental damage.
 - d. Describe discharge repairs, including equipment repairs and/or replacement, and pipeline testing.

- e. Provide the discharge repair and clean-up costs.
 - f. Describe any measures taken to prevent or mitigate future discharges.
23. List the federal, state, tribal, and/or local authorities notified of the discharge and when.
 24. List and describe the role of all agencies, individuals and contractors involved in the discharge response and clean-up.
 25. Describe any fines assessed for the discharge by any governmental entity. Provide the name of the agency, amount of the fines, and the date(s) assessed.
 26. Please provide the names, phone numbers and addresses of any additional persons you believe to have knowledge of the facts surrounding the discharge.
 27. Provide a copy of any National Pollutant Discharge Elimination System permit or other document authorizing the release of substances from the pipeline.
 28. Describe in detail any previous spills, discharges or releases that have occurred from this pipeline on the Fort Berthold Reservation within the past five years (provide copies of tribal, state and federal notifications).

STATEMENT OF CERTIFICATION

**Arrow Water, LLC, Produced Water Discharge
August 22, 2014**

I certify under penalty of law that the foregoing responses and attachments to the EPA's Request for Information Pursuant to the Clean Water Act (Request) were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. The response and attachments contain all documents and information responsive to the Request that are known to me following a complete and thorough review of all information and sources available to me. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Date

Printed Name

Official Title

**Arrow Midstream, LLC/Arrow Pipeline, LLC, Oil Discharge
NRC Incident No. 984252
July 27, 2011**

INFORMATION REQUEST

1. Describe the facility or vehicle (*i.e.*, pipeline, tank, well, tank battery, truck, boat, etc.) from which the oil, pollutant, or contaminant was released, discharged or spilled.
 - a. Describe the facility's use.
 - b. State when it was constructed.
 - c. Describe the total storage capacity of the facility.
 - d. Describe the facility's construction.
 - e. Describe the type of product(s) the facility stores, uses or generates.
 - g. Describe the routine and recent operation and maintenance performed on the facility.
2. Provide the name and street address of the owner of the facility.
 - a. State the owner's type of business (*i.e.* corporation, partnership, LLC, etc).
 - b. What state is the business incorporated or organized?
 - c. Provide the name and address of all corporate officers if a corporation.
 - d. Describe the relationship of the owner to any parent company and affiliates.
 - e. State when the current owner began operating the facility.
 - f. If not the original owner, identify who the owner purchased the facility from and when.
3. Provide the name and street address of the operator(s) of the facility if different from the owner. Describe the relationship between the owner and operator (*i.e.* employee, subcontractor, lessee).
4. Describe whether the facility or business is owned or operated 51% or more by the Three Affiliated Tribes (this does not include ownership, management, or control by and individual tribal member). Please provide any additional information, including a description of the Tribes' interest, control and responsibility. Other information may include tribal interest less than 51% and essential or unique services the facility or owner/operator provides the government of the Three Affiliated Tribes.
5. Describe in detail the cause of (*i.e.* equipment failure, operator error, inadequate procedures or maintenance) and events leading up to the discharge.

6. Specify the exact location of the discharge, including the street address; town or city; latitude/longitude coordinates; and township, range, quarter-sections and fractions; county and state.
7. Provide photos of the incident and the discharge's flow path.
8. Describe the land status of all lands impacted by the discharge (*i.e.* tribal trust, tribally-owned fee, Indian allotment, non Indian allotment, non Indian fee, other).
9. Name who discovered the discharge.
10. Specify the time and date that the discharge occurred and how this was determined.
11. State the total number of days the discharge occurred.
12. Specify the amount and type of product in the facility at the time of discharge.
13. State the total volume discharged and how determined.
14. Specify the type of all substances released, including oil, salt, chemicals, additives and condensate. If the material discharged was a mixture, please provide the percentages of substances in the mixture (provide copies of the Material Safety Data Sheets, if available).
15. Were samples of the substance(s) discharged collected and analyzed? If so, please provide copies of the analyses, along with the sampling locations, the name of the individual who performed the sampling, the date and time(s) of the sampling event(s) and the name of the laboratory that conducted the analyses.
16. List any substances discharged that are listed or designated as hazardous substances in section 101 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601.
17. Describe the pathway(s) of the discharge's migration from the source, including direction, elevation and topographic description. Describe any natural or man-made containment that intercepted the flow path (include photos, videos, topographic and other maps of the discharge area).
18. State the local weather conditions at the time of the discharge, including temperature, precipitation cloud cover and wind direction and speed.
19. Describe whether and to what extent the discharge reached or threatened any waterway or its tributary including, but not limited to, rivers, streams, creeks, arroyos, ponds, lakes, reservoirs, wetlands, marshes or sewers.
 - a. Describe the distance of the closest waterway impacted or threatened by the discharge to the source of the incident. Include the direction and elevation from the source.

- b. List each waterway impacted or threatened and whether water was present at the time of discharge.
- c. State the use(s) of the impacted or threatened waterway (*i.e.* drinking water, agriculture, ranching, recreation, commerce).
- d. Specify the quantity and nature of the discharge that reached the waterway and how that was determined.
- e. State the quantity of the discharge that did not reach water and how that was determined.
- f. Describe and name the water to which the affected waterway is connected or flows into and classify (*i.e.* ephemeral, intermittent, perennial) each stream segment involved.
- g. Identify whether and where any of the stream segments described in 19.f above had springs, pools or stockponds at the time of discharge.
- h. Describe any film, sheen, discoloration, or iridescent appearance observed on the surface of any water or adjoining shoreline caused by the discharge. Provide the name and contact information for the person making the observation.

20. Describe any damage:

- a. to animal life - number and species of affected, injured or dead fish, birds, animals, insects, etc.
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21. List and describe any sensitive environments, wildlife habitats or refuges, endangered species, water wells or drinking water intakes within twenty miles downgradient of the spill area. If yes, state the location and distance of each from the source of the incident or discharge.

22. When and how was the discharge controlled and cleaned up?

- a. Describe the steps, including the dates and times of each measure, to clean-up the discharge.
- b. Name who led and who participated in the clean-up effort (provide copies of clean-up plans, schedules and reports).
- c. Describe the steps taken to mitigate any environmental damage.
- d. Describe discharge repairs, including equipment repairs and/or replacement, and facility testing.
- e. Provide the discharge repair and clean-up costs.

- f. Describe any measures taken to prevent or mitigate future discharges.
23. List the federal, state, tribal, and/or local authorities notified of the discharge and when.
24. List and describe the role of all agencies, individuals and contractors involved in the discharge response and clean-up.
25. Describe any fines assessed for the discharge by any governmental entity. Provide the name of the agency, amount of the fines, and the date(s) assessed.
26. Please provide the names, phone numbers and addresses of any additional persons you believe to have knowledge of the facts surrounding the discharge.
27. Provide a copy of any National Pollutant Discharge Elimination System permit or other document authorizing the release of substances from the facility.
28. Describe in detail any previous spills, discharges or releases that have occurred from this facility on the Fort Berthold Reservation within the past five years. (Provide copies of tribal, state and federal notifications.)

STATEMENT OF CERTIFICATION

**Arrow Midstream, LLC/Arrow Pipeline, LLC, Oil Discharge
NRC Incident No. 984252
July 27, 2011**

I certify under penalty of law that the foregoing responses and attachments to the EPA's Request for Information Pursuant to the Clean Water Act (Request) were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. The response and attachments contain all documents and information responsive to the Request that are known to me following a complete and thorough review of all information and sources available to me. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Date

Printed Name

Official Title

**Arrow Water, LLC, Produced Water Spill
Discovered October 12, 2014**

INFORMATION REQUEST

1. Describe the facility or vehicle (*i.e.*, pipeline, tank, well, tank battery, truck, boat, etc.) from which the oil, pollutant, or contaminant was released, discharged or spilled.
 - a. Describe the facility's use.
 - b. State when it was constructed.
 - c. Describe the total storage capacity of the facility.
 - d. Describe the facility's construction.
 - e. Describe the type of product(s) the facility stores, uses or generates.
 - g. Describe the routine and recent operation and maintenance performed on the facility.
2. Provide the name and street address of the owner of the facility.
 - a. State the owner's type of business (*i.e.* corporation, partnership, LLC, etc).
 - b. What state is the business incorporated or organized?
 - c. Provide the name and address of all corporate officers if a corporation.
 - d. Describe the relationship of the owner to any parent company and affiliates.
 - e. State when the current owner began operating the facility.
 - f. If not the original owner, identify who the owner purchased the facility from and when.
3. Provide the name and street address of the operator(s) of the facility if different from the owner. Describe the relationship between the owner and operator (*i.e.* employee, subcontractor, lessee).
4. Describe whether the facility or business is owned or operated 51% or more by the Three Affiliated Tribes (this does not include ownership, management, or control by an individual tribal member). Please provide any additional information, including a description of the Tribes' interest, control and responsibility. Other information may include tribal interest less than 51% and essential or unique services the facility or owner/operator provides the government of the Three Affiliated Tribes.
5. Describe in detail the cause of (*i.e.* equipment failure, operator error, inadequate procedures or maintenance) and events leading up to the discharge.

6. Specify the exact location of the discharge, including the street address; town or city; latitude/longitude coordinates; and township, range, quarter-sections and fractions; county and state.
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12. Specify the amount and type of product in the facility at the time of discharge.
13. State the total volume discharged and how determined.
14. Specify the type of all substances released, including oil, salt, chemicals, additives and condensate. If the material discharged was a mixture, please provide the percentages of substances in the mixture (provide copies of the Material Safety Data Sheets, if available).
15. Were samples of the substance(s) discharged collected and analyzed? If so, please provide copies of the analyses, along with the sampling locations, the name of the individual who performed the sampling, the date and time(s) of the sampling event(s) and the name of the laboratory that conducted the analyses.
16. List any substances discharged that are listed or designated as hazardous substances in section 101 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601.
17. Describe the pathway(s) of the discharge's migration from the source, including direction, elevation and topographic description. Describe any natural or man-made containment that intercepted the flow path (include photos, videos, topographic and other maps of the discharge area).
18. State the local weather conditions at the time of the discharge, including temperature, precipitation cloud cover and wind direction and speed.
19. Describe whether and to what extent the discharge reached or threatened any waterway or its tributary including, but not limited to, rivers, streams, creeks, arroyos, ponds, lakes, reservoirs, wetlands, marshes or sewers.
 - a. Describe the distance of the closest waterway impacted or threatened by the discharge to the source of the incident. Include the direction and elevation from the source.
 - b. List each waterway impacted or threatened and whether water was present at the time of discharge.

- c. State the use(s) of the impacted or threatened waterway (*i.e.* drinking water, agriculture, ranching, recreation, commerce).
- d. Specify the quantity and nature of the discharge that reached the waterway and how that was determined.
- e. State the quantity of the discharge that did not reach water and how that was determined.
- f. Describe and name the water to which the affected waterway is connected or flows into and classify (*i.e.* ephemeral, intermittent, perennial) each stream segment involved.
- g. Identify whether and where any of the stream segments described in 19.f above had springs, pools or stockponds at the time of discharge.
- h. Describe any film, sheen, discoloration, or iridescent appearance observed on the surface of any water or adjoining shoreline caused by the discharge. Provide the name and contact information for the person making the observation.

20. Describe any damage:

- a. to animal life - number and species of affected, injured or dead fish, birds, animals, insects, etc.
- b. to vegetation - how many feet, acres, or miles of land were affected, type of vegetation, crops, timber, forest, prairie grasses, scrub, etc.

21. List and describe any sensitive environments, wildlife habitats or refuges, endangered species, water wells or drinking water intakes within twenty miles downgradient of the spill area. If yes, state the location and distance of each from the source of the incident or discharge.

22. When and how was the discharge controlled and cleaned up?

- a. Describe the steps, including the dates and times of each measure, to clean-up the discharge.
- b. Name who led and who participated in the clean-up effort (provide copies of clean-up plans, schedules and reports).
- c. Describe the steps taken to mitigate any environmental damage.
- d. Describe discharge repairs, including equipment repairs and/or replacement, and facility testing.
- e. Provide the discharge repair and clean-up costs.
- f. Describe any measures taken to prevent or mitigate future discharges.

23. List the federal, state, tribal, and/or local authorities notified of the discharge and when.
24. List and describe the role of all agencies, individuals and contractors involved in the discharge response and clean-up.
25. Describe any fines assessed for the discharge by any governmental entity. Provide the name of the agency, amount of the fines, and the date(s) assessed.
26. Please provide the names, phone numbers and addresses of any additional persons you believe to have knowledge of the facts surrounding the discharge.
27. Provide a copy of any National Pollutant Discharge Elimination System permit or other document authorizing the release of substances from the facility.
28. Describe in detail any previous spills, discharges or releases that have occurred from this facility on the Fort Berthold Reservation within the past five years. (Provide copies of tribal, state and federal notifications.)

STATEMENT OF CERTIFICATION

**Arrow Water, LLC, Produced Water Spill
Discovered October 12, 2014**

I certify under penalty of law that the foregoing responses and attachments to the EPA's Request for Information Pursuant to the Clean Water Act (Request) were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. The response and attachments contain all documents and information responsive to the Request that are known to me following a complete and thorough review of all information and sources available to me. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Date

Printed Name

Official Title